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Attorneys for Defendant Lime Blue, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JUICY COUTURE, INC.,

Plaintiff,

v.

LIME BLUE, LLC and LIME BLUE, INC.,

Defendant.

Civ No. 08 CV 03376 (NRB)

**ANSWER TO FIRST AMENDED
COMPLAINT**

Defendant Lime Blue, Inc., successor-in-interest to Lime Blue, LLC ("Lime Blue"), answers Plaintiff Juicy Couture, Inc.'s ("Juicy") First Amended Complaint ("FAC") on file in this matter as follows:

Answer to Allegations Concerning the Nature of the Case

1. Answering paragraph 1 of the FAC, Lime Blue admits that plaintiff purports to bring this action on the grounds stated in said paragraph. Except as expressly admitted herein, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

Answer to Allegations Concerning Jurisdiction and Venue

2. Answering paragraph 2 of the FAC, Lime Blue admits that plaintiff purports to bring this action under the Lanham Act, 15 U.S.C. § 1051 et. seq. and under New York law and alleges that this Court has subject matter jurisdiction pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331, 1338(a), 1338(b) and 1367. Except as expressly admitted herein, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

3. Answering paragraph 3 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

Answer to Allegations Concerning Parties

4. Answering paragraph 4 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

5. Answering paragraph 5 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

6. Answering paragraph 6 of the FAC, Lime Blue admits the allegations of said paragraph.

7. Answering paragraph 7 of the FAC, Lime Blue admits that the domain name juicycampus.com is registered by Domains by Proxy, Inc. Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in said paragraph and denies said allegations on that ground. Except as expressly admitted herein or denied for lack of knowledge or information sufficient to form a belief, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

Answer to Allegations Concerning Plaintiff's Juicy Trademark

8. Answering paragraph 8 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

9. Answering paragraph 9 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

10. Answering paragraph 10 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

11. Answering paragraph 11 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

12. Answering paragraph 12 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

13. Answering paragraph 13 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

14. Answering paragraph 14 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

15. Answering paragraph 15 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

16. Answering paragraph 16 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

17. Answering paragraph 17 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

Answer to Allegations Concerning Defendant's Use of Juicy Trademarks

18. Answering paragraph 18 of the FAC, Lime Blue admits that it owns and has operated a Web site called Juicy Campus at www.juicycampus.com since at least as early as August 2007 and that defendant also has been operating a blog at <http://juicycampus.blogspot.com>. Except as expressly admitted herein, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

19. Answering paragraph 19 of the FAC, Lime Blue admits that juicycampus.com is being investigated by the New Jersey Attorney General. Except as expressly admitted herein, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

20. Answering paragraph 20 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

21. Answering paragraph 21 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

22. Answering paragraph 22 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph. Except as expressly admitted herein, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

23. Answering paragraph 23 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegations on that ground.

24. Answering paragraph 24 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

25. Answering paragraph 25 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

26. Answering paragraph 26 of the FAC, Lime Blue states that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in said paragraph and denies the allegation on that ground.

27. Answering paragraph 27 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

28. Answering paragraph 28 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

29. Answering paragraph 29 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

30. Answering paragraph 30 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

31. Answering paragraph 31 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

ANSWER TO FIRST ALLEGED CLAIM FOR RELIEF

32. Answering paragraph 32 of the FAC, Lime Blue repeats and realleges paragraphs 1 through 31 of this Answer and incorporates the same by reference as though fully set forth herein.

33. Answering paragraph 33 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

34. Answering paragraph 34 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

35. Answering paragraph 35 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

ANSWER TO SECOND ALLEGED CLAIM FOR RELIEF

36. Answering paragraph 36 of the FAC, Lime Blue repeats and realleges paragraphs 1 through 35 of this Answer and incorporates the same by reference as though fully set forth herein.

37. Answering paragraph 37 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

38. Answering paragraph 38 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

39. Answering paragraph 39 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

ANSWER TO THIRD ALLEGED CLAIM FOR RELIEF

40. Answering paragraph 40 of the FAC, Lime Blue repeats and realleges each and every allegation contained in paragraphs 1 through 39 of this Answer and incorporates the same by reference as though fully set forth herein.

41. Answering paragraph 41 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

42. Answering paragraph 42 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

43. Answering paragraph 43 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

ANSWER TO FOURTH ALLEGED CLAIM FOR RELIEF

44. Answering paragraph 44 of the FAC, Lime Blue repeats and realleges paragraphs 1 through 43 of this Answer and incorporates the same by reference as though fully set forth herein.

45. Answering paragraph 45 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

46. Answering paragraph 46 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

47. Answering paragraph 47 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

ANSWER TO FIFTH ALLEGED CLAIM FOR RELIEF

48. Answering paragraph 48 of the FAC, Lime Blue repeats and realleges paragraphs 1 through 47 of this Answer and incorporates the same by reference as though fully set forth herein.

49. Answering paragraph 49 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

50. Answering paragraph 50 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

51. Answering paragraph 51 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

ANSWER TO SIXTH ALLEGED CLAIM FOR RELIEF.

52. Answering paragraph 52 of the FAC, Lime Blue repeats and realleges in paragraphs 1 through 51 of this Answer and incorporates the same by reference as though fully set forth herein.

53. Answering paragraph 53 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

54. Answering paragraph 54 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

55. Answering paragraph 55 of the FAC, Lime Blue denies generally and specifically each and every allegation contained in said paragraph.

FIRST DEFENSE

56. The FAC, and each claim for relief set therein, fails to state a claim upon which relief can be granted.

SECOND DEFENSE

57. Plaintiff's claims are barred, in whole or in part, by the doctrine of waiver.

THIRD DEFENSE

58. Plaintiff's claims are barred, in whole or in part, by the doctrine of estoppel.

FOURTH DEFENSE

59. Venue is improper in this Court.

FIFTH DEFENSE

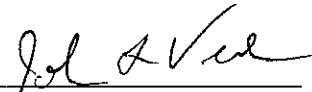
60. The court lacks subject matter jurisdiction over Lime Blue.

WHEREFORE, defendant Lime Blue, Inc. respectfully demands judgment dismissing the FAC in its entirety, awarding to defendant its costs and fees of this action including, without limitation, reasonable attorney fees, and granting such other and further relief as this Court may deem just and proper.

Dated: June 11, 2008

Respectfully submitted,

DYKEMA GOSSETT LLP

By: 
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Los Angeles, CA 90071
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Attorneys for Defendant Lime Blue, Inc.

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1 *Juicy Couture, Inc. vs. Lime Blue, LLC and Lime Blue, Inc.*

2 **CERTIFICATE OF SERVICE BY MAIL**

3 CIV NO. 08 CV 03376 (NRB)

4 I am over the age of 18 and not a party to the within action. I am employed in
5 the County of Los Angeles, State of California by Dykema Gossett LLP. My
6 business address is 333 South Grand Avenue, Suite 2100, Los Angeles, California
90071-3048.

7 On **June 11, 2008**, I served the following entitled document:

8 **ANSWER TO FIRST AMENDED COMPLAINT**

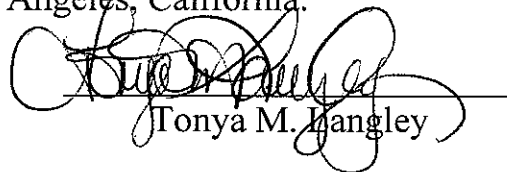
9 by placing true and correct copies thereof in a sealed envelope addressed as follows:

10 JENNER & BLOCK LLP
11 Susan J. Kohlmann
12 Elizabeth Valentina
13 919 Third Avenue
14 New York, New York 10022
Telephone: 212.891.1600
Facsimile: 212.891.1699
Attorneys for Plaintiff Liz Claiborne, Inc.

15 I am readily familiar with the firm's business practice for collection and
16 processing of correspondence for mailing with the United States Postal Service. On
17 this day, I placed for collection and processing the above document to be deposited
18 with the United States Postal Service in the ordinary course of business. And in the
ordinary course of the firm's business, such correspondence is deposited with the
United States Postal Service the same day that it is collected.

19 I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct.

20 Executed on **June 11, 2008**, at Los Angeles, California.

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22 Tonya M. Dangle
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